

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

FRANK HERBERT

PETITIONER

VS.

CIVIL ACTION NO. 3:04CV197BN

UNKNOWN GREER AND  
JIM HOOD, ATTORNEY GENERAL

RESPONDENTS

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JUDGMENT

This matter having come on to be heard on this date upon the Report and Recommendation of the United States Magistrate Judge entered in this cause on or about December 21, 2005, and the Court, having adopted said Report and Recommendation as the finding of this Court by Order dated this day, finds that the Petition for Habeas Corpus filed by Frank Herbert should be dismissed with prejudice.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the above captioned cause be, and the same is hereby, dismissed with prejudice.

SO ORDERED this the 25th day of January, 2006.

s/William H. Barbour, Jr.  
UNITED STATES DISTRICT JUDGE